

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

AMYRIS, INC., *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 23-11131 (TMH)

(Jointly Administered)

**DEBTORS' WITNESS AND EXHIBIT LIST  
FOR HEARING ON OCTOBER 4, 2023 AT 10:00 A.M. (ET)**

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The above captioned debtors and debtors in possession (the “Debtors”) submit this witness and exhibit list for the hearing scheduled for **October 4, 2023 at 10:00 a.m. (ET)** (the “Hearing”) before the Honorable Thomas M. Horan, at the United States Bankruptcy Court for the District of Delaware, located at 824 N. Market Street, 3rd Floor, Wilmington, Delaware 19801.

**WITNESSES**

The Debtors designate the following persons as witnesses who may be called at the Hearing.

1. Han Kieftenbeld, Interim Chief Executive Officer and Chief Financial Officer, Amyris, Inc.
2. Theodore F. Martens.
3. Oksana Wright, VP, Head of Compliance and Litigation, Amyris, Inc. (Rebuttal).

The Debtors also cross-designate all witnesses designated by any other party in connection with the Hearing, and reserve the right to call any necessary rebuttal or impeachment witnesses.

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<sup>1</sup> A complete list of each of the Debtors in these Chapter 11 Cases may be obtained on the website of the Debtors' claims and noticing agent at <https://cases.stretto.com/Amyris>. The location of Debtor Amyris Inc.'s principal place of business and the Debtors' service address in these Chapter 11 Cases is 5885 Hollis Street, Suite 100, Emeryville, CA 94608.

**EXHIBITS**

The Debtors designate the following exhibits that may be used at the Hearing:

<b>Exhibit No.</b>	<b>Document Description</b>	<b>Docket No.</b>	<b>Bates No.</b>
1.	2018.06.29 Loan and Security Agreement	171-B <sup>2</sup>	AMYRIS-DIP001997
2.	2018.06.29 Promissory Note		AMYRIS-DIP002157
3.	2018.06.29 GACP UCC-1 No. 2018 4480998		AMYRIS-DIP002402
4.	2018.08.24 Amendment No 1 to Loan Agreement		AMYRIS-DIP002159
5.	2018.11.14 Amendment No. 2 to Loan Agreement		AMYRIS-DIP002166
6.	2018.12.14 Amendment No 3 to Loan Agreement		AMYRIS-DIP002172
7.	2019.04.04 Amendment No 4 to Loan Agreement		AMYRIS-DIP002182
8.	2019.04.08 Amyris-Foris Credit Agreement		AMYRIS-DIP002408
9.	2019.04.08 Amyris-Foris Note		AMYRIS-DIP002421
10.	2019.04.15 Assignment		AMYRIS-DIP002191
11.	2019.04.15 GACP-Amyris Loan Purchase Agreement		AMYRIS-DIP002426
12.	2019.04.17 UCC Amendment No. 2019 2678519		
13.	2019.06.11 Amyris-Foris Note		AMYRIS-DIP002476
14.	2019.07.10 Foris Promissory Note		AMYRIS-DIP002481
15.	2019.07.26 Foris Promissory Note		AMYRIS-DIP002486
16.	2019.08.14 Foris Amended Note		AMYRIS-DIP002197
17.	2019.08.14 Foris LSA Amendment No 5		AMYRIS-DIP002199
18.	2019.08.28 Amyris-Foris Credit Agreement		AMYRIS-DIP002491
19.	2019.08.28 Amyris-Foris Promissory Note		AMYRIS-DIP002504
20.	2019.10.10 LSA Amendment No 6		AMYRIS-DIP002220

<sup>2</sup> Previously admitted on 09.14.23, Docket No. 272, Ex. 2.

<b>Exhibit No.</b>	<b>Document Description</b>	<b>Docket No.</b>	<b>Bates No.</b>
21.	2019.10.11 Foris Note		AMYRIS-DIP002511
22.	2019.10.11 Common Stock Warrant		AMYRIS-DIP002834
23.	2019.10.29 Foris AR LSA		AMYRIS-DIP002232
24.	2019.11.21 DE UCC Amendment No. 2019 6821769		AMYRIS-DIP002513
25.	2019.11.21 UCC Amendment No. 2019 8268067		AMYRIS-DIP004011
26.	2019.11.27 Secured Term Promissory Note		AMYRIS-DIP002515
27.	2019.11.27 Common Stock Warrant		AMYRIS-DIP002850
28.	2019.12.20 Forbearance Agreement (December 2019)		AMYRIS-DIP002639
29.	2020.01.31 Foris Warrant Exercise and Debt Equitization Agreement		AMYRIS-DIP002348
30.	2020.02.27 Foris Forbearance Agreement (February 2020)		AMYRIS-DIP002650
31.	2020.03.11 Amyris Foris Waiver (March 2020)		AMYRIS-DIP002662
32.	2020.05.06 Amyris Foris Waiver (April 2020)		AMYRIS-DIP002671
33.	2020.05.06 Amyris Foris Waiver (May 2020)		AMYRIS-DIP002679
34.	2020.06.01 Amendment N.1 to AR Foris LSA		AMYRIS-DIP002330
35.	2020.08.08 Amyris Foris Waiver		AMYRIS-DIP002688
36.	2020.11.05 Amyris Foris Waiver (November 2020)		AMYRIS-DIP002693
37.	2020.12.31 Exercise Notices		AMYRIS-DIP002870
38.	2021.03.04 Amyris Foris Waiver and Consent		AMYRIS-DIP002699
39.	2021.04.30 Amyris Foris Waiver and Consent		
40.	2021.11.06 Amyris Foris Waiver Consent and Notice		AMYRIS-DIP002755
41.	2021.11.09 Foris LSA Amendment		AMYRIS-DIP002593
42.	2022.09.27 Amyris Foris Waiver and Consent		
43.	2022.06.29 Foris LSA Amendment		AMYRIS-DIP002341
44.	2023.03.10 Amyris Foris Waiver and Consent		
45.	FAS Update Dated June 30, 2009		

<b>Exhibit No.</b>	<b>Document Description</b>	<b>Docket No.</b>	<b>Bates No.</b>
46.	2019.03.18 Research Collaboration and License Agreement	171-A <sup>3</sup>	AMYRIS-DIP002357
47.	2019.05.02 Lavvan - Security Agreement		AMYRIS-DIP002450
48.	2019.05.02 Assignment Agreement		AMYRIS-DIP002539
49.	2019.05.09 Lavvan UCC-1 No. 2019 3209363		AMYRIS-DIP002471
50.	2019.05.02 Lavvan - Subordination Agreement	211-A <sup>4</sup>	AMYRIS-DIP002463
51.	2019.05.02 Officer's Certificate dated May 2, 2019		AMYRIS-DIP002525
52.	2023.05.25 UCC Amendment No. 2023 2411693		
53.	2019.05.02 Consent and Waiver		AMYRIS-DIP002531
54.	8-K filed on August 20, 2019		AMYRIS-DIP002949
55.	8-K filed on October 16, 2019		AMYRIS-DIP003020
56.	8-K filed on November 1, 2019		AMYRIS-DIP003024
57.	8-K filed on December 2, 2019		AMYRIS-DIP003168
58.	8-K filed on February 06, 2020		AMYRIS-DIP003172
59.	8-K filed on June 4, 2020		AMYRIS-DIP003212
60.	8-K filed on July 1, 2022		AMYRIS-DIP004013
61.	10-Q filed on August 10, 2020		AMYRIS-DIP003301
62.	8-K filed on November 20, 2019		
63.	10-K FYE 12.31.20 filed on March 5, 2021		AMYRIS-DIP003438
64.	10-K FYE 12.31.22 filed on March 16, 2023		AMYRIS-DIP004014
65.	10-K FYE 12.31.21 filed on March 9, 2022		
66.	January 31 2019 Accounting File Memorandum		AMYRIS-DIP003983
67.	2019.10.10 Amyris, Inc. Valuation of Foris LSA as of October 19, 2019 Summary USD in Actual		AMYRIS-DIP002828
68.	April 2020 Accounting File Memorandum		AMYRIS-DIP003953

<sup>3</sup> Previously admitted on 09.14.23, Docket No. 272, Ex. 1.

<sup>4</sup> Previously admitted on 09.14.23, Docket No. 272, Ex. 3.

<b>Exhibit No.</b>	<b>Document Description</b>	<b>Docket No.</b>	<b>Bates No.</b>
69.	2020.01.31 Summary of Terms		AMYRIS-DIP002868
70.	AR Foris LSA Balances Timeline Demonstrative		
71.	Expert Report of Theodore F. Martens dated September 22, 2023		
72.	Martens Report EX A – Curriculum Vitae		
73.	Martens Report EX B - Foris LSA Principal Balance O/S		
74.	Martens Report EX C – Documents Considered		
75.	Expert Rebuttal Report of Michael Gaul, CTP, CFE dated September 26, 2023		
76.	Final Search Terms		
77.	2023.09.20 Email from K. Matevish		
78.	2023.09.20 Wright/Chin Email		
79.	2023.09.19 Fattaruso Document Request		
80.	2023.09.20 Kornfeld Response to Fattaruso		
81.	2023.09.21 Fattaruso Reply to Kornfeld		

The Debtors also cross designate all exhibits designated by any other party in connection with the Hearing, and reserve the right to use additional exhibits for rebuttal or impeachment purposes.

The Debtors reserve the right to amend or supplement this witness and exhibit list prior to the Hearing.

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Dated: October 2, 2023

**PACHULSKI STANG ZIEHL & JONES LLP**

*/s/ James E. O'Neill*

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Richard M. Pachulski (admitted *pro hac vice*)

Debra I. Grassgreen (admitted *pro hac vice*)

Alan J. Kornfeld (admitted *pro hac vice*)

James E. O'Neill (DE Bar No. 4042)

Steven W. Golden (DE Bar No. 6807)

919 N. Market Street, 17th Floor

P.O. Box 8705

Wilmington, DE 19899-8705 (Courier 19801)

Telephone: (302) 652-4100

Facsimile: (302) 652-4400

rpachulski@pszjlaw.com

dgrassgreen@pszjlaw.com

akornfeld@pszjlaw.com

joneill@pszjlaw.com

sgolden@pszjlaw.com

*Counsel to the Debtors and Debtors in Possession*